

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

CROWN CORK & SEAL COMPANY, INC.	)	
AND CLARK EQUIPMENT COMPANY,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	1:99-CV-00869
	)	
CBS CORPORATION, as successor in	)	
Interest to WESTINGHOUSE ELECTRIC	)	
CORPORATION, <i>et al.</i>	)	
	)	
Defendants.	)	
_____	)	

**JUDGMENT**

This matter is before the Court pursuant to the Joint Motion to Dismiss by Plaintiffs, Crown, Cork & Seal Company, Inc. and Clark Equipment Company and Defendants, Cecil Jack Holder, Jack Holder Enterprises, Inc., Haz-Mat Transportation and Disposal, Inc. (now know as Legacy Capital Investments, Inc.) and Energy Recovery Resources, Inc. (the “Holder Defendants”) and pursuant to Plaintiffs’ Motion to Dismiss Defendant, Dorothy Macon, and it appearing to the Court that Plaintiffs and the Holder Defendants have settled all claims against them and that Plaintiffs desire to dismiss their claims against Dorothy Macon without settlement, and it further appearing that upon the granting of these motions and dismissals of Plaintiffs’ claims against the Holder Defendants and Dorothy Macon, this case will be fully concluded; therefore

IT IS ORDERD AND ADJUDGED that the joint motion to dismiss the Holder Defendants as defendants from this lawsuit with prejudice, and further, that all cross-claims or third-party claims arising out of plaintiffs’ claims for recovery of their RI/RS costs, RD/RA

costs, or any other response costs against the Holder Defendants (docket no. 566 ) is granted, and that the Court, in fact, dismisses any cross-claim or third-party claim by any party against the Holder Defendants with prejudice as a result of their settlement of Plaintiffs' claims, and further, that the Court accepts the Uniform Comparative Fault Act proportionate share rule for this case so that Plaintiffs' contribution claims against the non-settling defendants will be reduced by the fair share of the Holder Defendants. Further, Plaintiffs' motion to dismiss their claims against Dorothy Macon (docket no. 566) is granted and all of Plaintiffs' claims against her are hereby dismissed without prejudice.

This the day of May 4, 2006

/s/ N. Carlton Tilley, Jr.  
United States District Judge